

**UNITED STATES OF AMERICA
BEFORE THE
NUCLEAR REGULATORY COMMISSION**

Entergy Nuclear Operations, Inc.	Docket No. 50-293
Pilgrim Nuclear Power Station	Docket No. 50-003
Indian Point Nuclear Generating Unit No. 1	Docket No. 50-247
Indian Point Nuclear Generating Unit No. 2	Docket No. 50-286
Indian Point Nuclear Generating Unit No. 3	Docket Nos. 50-333 & 72-12
James A. FitzPatrick Nuclear Power Plant	Docket No. 50-271
Vermont Yankee Nuclear Power Station	Docket Nos. 50-255 & 72-7
Palisades Nuclear Plant	Docket Nos. 50-155 & 72-43
Big Rock Point	

**REPLY OF LOCAL 369, UTILITY WORKERS
UNION OF AMERICA, AFL-CIO TO OPPOSITION
OF ENTERGY NUCLEAR OPERATIONS TO
LOCAL 369 PETITION FOR LEAVE TO
INTERVENE**

Pursuant to 10 C.F.R. § 2.309(h)(2) of the regulations of the United States Nuclear Regulatory Commission (“NRC”), Local 369, Utility Workers Union of America, AFL-CIO (“Local 369”), hereby responds to the September 20, 2007, “Answer Opposing Intervention Petition of Local 369, Utility Workers Union of America, AFL-CIO” (“Opposition”) submitted in the above-captioned dockets by Entergy Nuclear Operations, Inc., *et al.* (“Entergy Nuclear”).¹

Entergy Nuclear contends (Opposition at 2 n.1) that Local 369’s September 18, 2007 Petition to Intervene in Entergy Nuclear’s proposed indirect transfer of licenses² “is

¹ Entergy Nuclear is joined in its Application by Entergy Nuclear Generation Company; Entergy Nuclear FitzPatrick, LLC; Entergy Nuclear Vermont Yankee, LLC; Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; and Entergy Nuclear Palisades, LLC.

² Petition of Local 369, Utility Workers Union of America, AFL-CIO for Leave to Intervene and Request for Initiation of Hearing Procedures (“Petition to Intervene”).

premature and should be rejected,” and asks “that the Secretary of the Commission promptly return the Petition to Local 369 with no further action.” *Id.* at 2.

In order to avoid the “unnecessary inefficiencies” highlighted by Entergy Nuclear (Opposition at 5) and to conserve the resources of the Commission, Local 369 requests that — if the Commission declines to grant Local 369’s Petition to Intervene at this time — the Secretary hold Local 369’s Petition to Intervene in abeyance until the Commission publishes notice of the proposed transfer in the Federal Register. There is no need for the Commission to spend its resources (and postage) on “promptly return[ing]” Local 369’s Petition where it would simply be re-submitted (and presumably acted upon by the Commission) once the Federal Register notice is issued. To the extent the issues as described in the Commission’s Federal Register notice differ materially from those addressed by Local 369 in its Petition, the Local commits to submit a supplement to its Petition.

CONCLUSION

For the foregoing reasons, Local 369 respectfully requests that the Commission grant its Petition to Intervene, or, in the alternative, that the Commission hold its Petition to Intervene in abeyance pending Commission publication of notice of Entergy's Application.

Respectfully submitted,



Scott H. Strauss
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Attorneys for
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America, AFL-CIO

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September 27, 2007

CERTIFICATE OF SERVICE

I hereby certify that I have on this 27th day of September, 2007, caused the foregoing document to be sent by first-class mail, properly stamped and addressed, to the Applicant and to all participants pursuant to 10 C.F.R. § 2.305 as follows:

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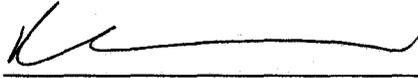
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September 27, 2007

Via first class mail

Office of the Secretary
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Washington, DC 20555-0001
Attention: Rulemakings and Adjudications Staff

Re: Reply of Local 369, Utility Workers Union of America, AFL-CIO to Opposition of
Entergy Nuclear Operations, Inc. to Petition to Intervene of Local 369
Docket Nos. 50-293 *et al.*

Dear Secretary Vietti-Cook:

Please find attached the Reply of Local 369, Utility Workers Union of America, AFL-CIO to the September 20, 2007 Opposition of Entergy Nuclear Operations, Inc. to Local 369's Petition to Intervene in the proceedings regarding Entergy Nuclear Operations' Application for indirect transfer of control of licenses. This document was electronically filed today, September 27, 2007, and served in accordance with the Commission's regulations.

Please contact the undersigned if you have any questions or concerns.

Sincerely,



Scott H. Strauss
Rebecca J. Baldwin

Attorneys for the Utility Workers Union of
America, AFL-CIO, Local 369

Enclosure